

**REMARKS**

Claims 1-7 are all the claims pending in the application. The non-narrowing claim amendments are for clarification purposes only.

**I. Claim Rejections- 35 U.S.C. § 112**

The Examiner rejected claims 1-7 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant respectfully requests the Examiner to withdraw this rejection of claims 1-7 in view of the self-explanatory amendments shown above.

**II. Claim Rejections- 35 U.S.C. § 102**

The Examiner rejected claims 1-5 under 35 U.S.C. § 102(b) as being anticipated by GR-1230 (GR-1230-CORE, "SONET Bidirectional Line-Switched Ring Equipment Generic Criteria", Issue 4, December 1998, Chapter 6). Applicant respectfully traverses.

Of these rejected claims, only claims 1 and 4 are independent. In view of the substantial similarities between claims 1 and 4, Applicant discusses only claim 1 but respectfully submits that the following remarks are equally applicable to claim 4. Herein amended claim 1 requires:

verifying that the protection channels have been restored;  
maintaining the protection for a ring event, for a predetermined time, when the verification is positive; and  
managing the ring event, as a span event, after said predetermined time.

Regarding claims 1, 4, and 5 the Examiner stated, “GR-1230 teaches in p. 6-16, R6-68 that a protection using ring switch during a cable cut reverts when the protection channels on the failed span are repaired if the ring request is pre-empted (i.e., low-priority traffic has been pre-empted due to the ring switch). That is, GR-1230 teaches to transition from a ring event to a span event when the protection channels have been restored. GR-1230 teaches in p. 6-14 wait-to-restore (WTR) where a timer is triggered and revertive switching occurs only after the expiration of the timer.” (Office Action, page 3).

The Examiner noted that GR-1230 teaches “switching from a ring event to a span event when the protection channels are restored.” In other words, because of a ring failure, traffic using the long path protection channels around the ring are now switched, to traffic using the short path repaired protection channels, which are on the same span as the unrepaired working channels. GR-1230 teaches no delay in switching from using the long path protection channels to using the short path repaired protection channels.

However, claim 1 requires “verifying that the protection channels have been restored...maintaining the protection for a ring event, for a **predetermined time**, when the verification is positive...and [then] managing the ring event, as a span event, **after said predetermined time**.” That is, claim 1 provides a predetermined delay in switching from the long path around the ring via the protection channels to the short path around the ring via the now repaired protection channels.

Because the Examiner recognized that “maintaining the protection for a ring event, for a predetermined time, when the verification is positive” was not met, the Examiner relied upon GR-1230, p. 6-14 that defines the wait-to-restore (WTR) request. GR-1230, p. 6-14 defines the

wait to restore (WTR) request as follows: “This request is issued when **working channels** meet the restoral threshold after an SD or SF conditions. This request is used to maintain the current state during the WTR period unless it is pre-empted by a higher priority request...[*emphasis added*]”. This WTR request is made when preparing to switch from protection channels to working channels.

The error in the Examiner’s analysis is that the WTR request (in GR-1230, p. 6-14) is not contemplated in switching from protection channels to repaired protection channels. That is, the WTR request is in preparation for switching from protection channels to working channels, not when switching from protection channels to repaired protection channels after a ring failure. Therefore, the “revertive switching”<sup>1</sup> regarding the WTR request is for reverting back to the working channels, not protection channels.

Since the applied reference fails to teach “maintaining the protection for a ring event, for a predetermined time,” neither claim 1 nor claim 4 is anticipated by the reference. Applicant therefore respectfully requests the Examiner to withdraw this rejection of independent claims 1 and 4 and their respective dependents claims 2, 3 and 5.

### **III. Claim Rejections- 35 U.S.C. § 103**

The Examiner rejected claims 6 and 7 under 35 U.S.C. § 103(a) as allegedly being unpatentable over GR-1230 (GR-1230-CORE, “SONET Bidirectional Line-Switched Ring Equipment Generic Criteria”, Issue 4, December 1998, Chapter 6) in view of Freeman

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<sup>1</sup> The Examiner stated, “GR-1230 teaches in p. 6-14 wait-to-restore (WTR) where a timer is triggered and revertive switching occurs only after the expiration of the timer.” (Office Action, page 3).

(“Telecommunication System Engineering” by R. Freeman, John Wiley & Sons, 1980, pp. 99-103). Applicant respectfully traverses.

Both of these claims depend from independent claim 1. Applicant has already pointed out, above, that GR-1230 is deficient vis-à-vis claim 1 in that it does not teach or suggest “maintaining the protection for a ring event, for a predetermined time”. Freeman does not compensate for this deficiency.

Even for what they would have meant as a whole to an artisan of ordinary skill, the combined teachings of GR-1230 and Freeman cannot be said to lead to the method of claim 1. Applicant therefore respectfully requests the Examiner to withdraw this rejection of dependent claims 6 and 7.

*Amendment Under 37 C.F.R. § 1.111*  
*U.S. Appln. No.: 10/067,934*

*Attorney Docket No.: Q68360*

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


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